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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/030,638	05/17/2002	Harald Schach	10191/2138	8127
26646	7590	01/11/2005	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			KUMAR, SRILAKSHMI K	
			ART UNIT	PAPER NUMBER
			2675	

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/030,638

Applicant(s)

SCHACH ET AL.

Examiner

Srilakshmi K. Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

The following office action is in response to Amendment, filed July 28, 2004. Claims 21-25 are newly added. Claims 10-25 are pending.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 10-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ikeuchi et al (US 5,964,515) in view of Knoll et al (US 6,404,463).

As to independent claims 10 and 18, Ikeuchi et al discloses an illumination device for a display instrument (Fig. 1, col. 2, lines 56-67), comprising, a dial face (Fig. 1, items 11 and 12); a pointer scale arranged on the dial face (Fig. 1, items 11 and 12); a first scale marking arranged on a first side of the pointer scale on the dial face (Fig. 1, item 11); at least one of a second scale marking (Fig. 1, item 12); and an auxiliary scale arranged on a second side of the pointer scale on the dial face, Ikeuchi et al does not disclose auxiliary scale arranged on the second side of the point scale on the dial face. Knoll et al disclose in Fig. 1, an auxiliary scale arranged on the second side of the dial face in Fig. 1, item 60. It would have been obvious to one of ordinary skill in the art to incorporate multiple scales on the dial face of Ikeuchi et al as shown by Knoll et al as multiple scales would enable multiple items related to a vehicle to be displayed.

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a first light source for illuminating the first scale marking (Fig. 2, item 10b); an optical waveguide into which a light of the first light source is injected, the light being deflected from the optical waveguide to the second scale marking (col. 3, lines 1-35);

at least one second light source for illuminating the pointer scale; and a light funnel arranged between the at least one second light source and the pointer scale, wherein a light path from the at least one second light source to the pointer scale is separated from the optical waveguide by the light funnel; Although Ikeuchi et al disclose one light source, it would have been obvious to one of ordinary skill in the art that more than one lamp could have been used as opposed to one large lamp. Multiple lamps are advantageous as they can produce more intense light for each dial face.

As to independent claim 20, limitations of claims 10 and 18, and further comprising, an actual vehicle speed is displayed by the cruise control display by a pointer, and a desired speed is displayed by the cruise control display by illuminating segments of the pointer scale of the display instrument (Fig. 1, dial face 11, col. 2, lines 61-67).

As to dependent claim 11, limitations of claim 10, and further comprising, a circuit board on which is arranged the at least one second light source (col. 3, lines 36-50).

As to dependent claim 12, limitations of claim 10, and further comprising, at least one second light funnel, wherein; the at least one second light source includes a plurality of other light sources, the pointer scale is illuminated by the plurality of other light sources, each of the plurality of other light sources is arranged in a respective one of the light funnel and the at least one second light funnel and the optical waveguide proceeds between the at least two of the light

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funnel and the at least one second light funnel from the first light source to the at least one of the second scale marking and the auxiliary scale (col. 3, lines 1-50).

As to dependent claim 13, limitations of claim 12, and further comprising, wherein the pointer scale includes a plurality of scale segments (Fig. 1, items 11 and 12, segmented), at least one of the plurality of other light sources is assigned to one of the plurality of scale segments, and the plurality of other light sources are able to be electrically activated individually and one of a brightness and a color of the plurality of other light sources is changeable (col. 3, lines 1-50). Although Ikeuchi et al do not disclose where the color of the light sources is changeable, it would have been obvious to one of ordinary skill in the art that the display could have been capable of multiple colors as is well known in the art.

As to dependent claim 14, limitations of claim 13, and further comprising, wherein the plurality of other light sources include a plurality of light emitting diodes. Although Ikeuchi et al does not state the light sources are that of light emitting diodes, it would have been obvious to one of ordinary skill in the art that the light sources could have been light emitting diodes as light emitting diodes are advantageous as they are compact and low cost.

As to dependent claim 15, limitations of claim 10, and further comprising, wherein the light funnel includes a reflective material (col. 2, lines 56-60, col. 3, lines 18-23).

As to dependent claim 16, limitations of claim 15, and further comprising, wherein the reflective material includes a white plastic material (col. 2, lines 56-60, col. 3, lines 18-23). Although Ikeuchi et al do not disclose where the reflective material is white plastic, it would have been obvious to one of ordinary skill in the art that the reflective material could have been white plastic as the it would have been inexpensive to dispose in the dial unit.

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As to dependent claim 17, limitations of claim 12, and further comprising, a circuit board, and a support in which the light funnel and the at least one second light funnel are interconnected, wherein the optical waveguide is held against the circuit board by the support (col. 3, lines 1-50).

As to dependent claim 19, limitations of claim 18, and further comprising, a diffusing screen arranged between the dial face and the first light source (Fig. 2, item 10c).

As to dependent claim 21, limitations of claim 10, and further comprising, wherein the pointer scale is configured to display a target speed. Although Ikeuchi et al and Knoll et al do not disclose where the pointer scale is configured to display a target speed, it would have been obvious to one of ordinary skill in the art that the pointer scales of Ikeuchi et al and Knoll et al could have been configured to display to the requirements of the user.

As to dependent claim 22, limitations of claim 21, and further comprising, the first scale marking is configured in units of miles per hour and the second scale marking is configured in kilometers per hour. Ikeuchi et al do not disclose where the first scale marking is configured in units of miles per hour and the second scale marking is configured in kilometers per hour. Knoll et al discloses in Fig. 1 where the first scale marking is configured in units of miles per hour and the second scale marking is configured in kilometers per hour. It would have been obvious to one of ordinary skill in the art to incorporate the scale markings of Knoll et al into that of Ikeuchi et al. The dual scale markings of Knoll et al are advantageous as different countries rely upon different units for speed.

As to dependent claim 23, limitations of claim 10, and further comprising, wherein the pointer scale includes a plurality of individually illuminated segments (Fig. 1, items 11 and 12)

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As to dependent claim 24, limitations of claim 13, and further comprising, wherein the plurality of other light sources includes a plurality of incandescent lamps. Although Ikeuchi et al does not state the light sources are that of incandescent lamps, it would have been obvious to one of ordinary skill in the art that the light sources could have been incandescent lamps as incandescent lamps are advantageous as they are compact and low cost.

As to dependent claim 25, limitations of claim 13, and further comprising, wherein the plurality of other light sources includes a plurality of glow lamps. Although Ikeuchi et al does not state the light sources are that of glow lamps, it would have been obvious to one of ordinary skill in the art that the light sources could have been glow lamps as glow lamps are advantageous as they are compact and low cost.

Response to Arguments

3. Applicant's arguments with respect to claims 10-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 703 306 5575. The examiner can normally be reached on 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, xxxx xxxx can be reached on xxx xxx xxxx. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K. Kumar
Examiner
Art Unit 2675

SKK
January 10, 2005

AMR A. AWAD
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "Amir Ahmad Awad", with a large, sweeping loop at the end.